

1 AN ACT relating to accessory dwelling units.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 100 IS CREATED TO  
4 READ AS FOLLOWS:

5 *(1) As used in this section, "accessory dwelling unit" means a self-contained living*  
6 *unit on the same parcel as a single-family home that:*

7 *(a) Includes its own cooking, sleeping, and sanitation facilities;*

8 *(b) Meets all applicable state or local codes or regulations for dwelling units,*  
9 *including building, fire, and sanitation codes; and*

10 *(c) Has:*

11 *1. Less square footage than the single-family home, if it is internal to the*  
12 *single-family home; or*

13 *2. Seventy-five percent (75%) or less square footage than the single-*  
14 *family home, if it is attached to or detached from the single-family*  
15 *home.*

16 *(2) Accessory dwelling units shall be considered a permitted use in all residential*  
17 *zones and shall not be subject to permitting or review under this chapter.*

18 *(3) A planning unit shall not adopt or enforce any regulation or ordinance that:*

19 *(a) Prohibits a property owner from having one (1) accessory dwelling unit on*  
20 *the owner's property;*

21 *(b) Imposes requirements on accessory dwelling units that are more restrictive*  
22 *than those placed on single-family homes, including but not limited to:*

23 *1. Parking requirements;*

24 *2. Architectural or design standards;*

25 *3. Lot size, building height, or setback requirements; or*

26 *4. Any requirement that an owner occupy the single-family home or the*  
27 *accessory dwelling unit, or have any specific relationship to a person*

- 1                   occupying the single-family home or accessory dwelling unit; or  
2           (c) Assesses any fees in addition to those required for single-family homes,  
3                   other than the fee set out in subsection (4) of this section.  
4   (4) A planning unit may adopt or enforce a regulation or ordinance that:  
5           (a) Requires the owner of an accessory dwelling unit to notify the planning unit  
6                   prior to the construction or creation of a new accessory dwelling unit;  
7           (b) Assesses a one (1) time fee of not more than two hundred fifty dollars  
8                   (\$250) at the time the accessory dwelling unit is constructed or created;  
9           (c) Prohibits or restricts an accessory dwelling unit from being rented for terms  
10                   of less than thirty (30) days; or  
11           (d) Prohibits a property owner from having more than one (1) accessory  
12                   dwelling unit on a property.  
13   (5) This section shall not be construed to prohibit a planning unit from adopting or  
14           enforcing ordinances or regulations that are generally applicable to all dwelling  
15           units.